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December 21, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Bridging the Digital Divide for Low-Income Consumers, WC Docket No. 17-287; Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42; Telecommunications Carriers Eligible for Universal Service Support, WC Docket No. 09-197

Notice of Oral and In-Person Ex Parte Communications

Dear Ms. Dortch:

On December 19, 2018, TracFone Wireless, Inc. representatives met in person and by phone with Nirali Patel, Wireline Advisor to Chairman Pai. The TracFone attendees that met with Ms. Patel included the following:

In Person:

- Mark Rubin - Senior Executive for Government Affairs
- Geoff Why - Verrill Dana, LLP Counsel for TracFone
- Shawn Chang - Wiley Rein, LLP Counsel for TracFone

By Phone:

- Elizabeth Simonhoff Perez - Senior Manager, Healthcare

Discussions focused on TracFone's Emergency Petition as well as developing and implementing a collaborative process to address issues associated with National Verifier and its launch going forward. TracFone updated Ms. Nirali on its communications with Universal Service Administrative Company ("USAC") and the effort to work collaboratively with USAC and the Commission to ensure that the National Verifier will be launched properly.

The attendees also discussed the requirement to mandate an issued or expiration date on the acceptable eligibility documentation for the National Verifier and its impact on current proofs of

eligibility through participation in programs such as the Supplemental Nutrition Assistance Program and Medicaid. TracFone representatives emphasized that this issue requires the FCC's immediate attention as it has the potential to severely shrink the size of the current program by several million participants while making it unduly burdensome for new entrants to enroll.

In addition, TracFone shared that USAC and TracFone had discussed a process that TracFone could implement for eligibility verification associated with Medicaid participants that would comply with USAC's September eligibility documentation guidelines. Specifically:

- The Managed Care Organizations will send TracFone a file with data identifying existing Medicaid participants, along with the Managed Care Organizations' approved proof template containing the following information as required by the September guidelines: program name, consumer's name and eligibility dates.
- If Managed Care Organization members request the proof from TracFone, TracFone will populate the information generated by the Managed Care Organization and send the proof to the member via pdf. TracFone will not alter the data in any way. TracFone will simply provide the consumer with what the consumer needs to upload to the National Verifier System to properly demonstrate the consumer's eligibility.

USAC has not agreed that this process would be permissible, and TracFone is seeking the Commission's help to confirm that the process would be acceptable. Indeed, TracFone has submitted an Emergency Petition to the Commission in early August 2018 on this precise issue. After seeking public comments on the Petition, the FCC has taken no further action on the Petition.

Lastly, the attendees discussed the Lifeline Eligibility Database, and the importance of Application Program Interfaces ("APIs"). TracFone shared its perception that the Commission had believed that APIs were responsible for fraud in the National Lifeline Accountability Database's ("NLLAD") Third Party Identity Verification ("TPIV") Failure Resolution process. TracFone explained that the TPIV Failure Resolution process involves a manual determination of how to ensure that potentially eligible Lifeline consumers can enroll in the program when various aspects of their identity could not be established through TPIV. The TPIV Failure Resolution process has nothing to do with APIs. APIs are only the mechanism by which the NLAD communicates in real-time with different databases that are pinged as part of the TPIV process. This process was outlined in the FCC's 2016 Lifeline order.¹

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is filed in ECFS. Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Geoffrey G. Why
Geoffrey G. Why

CC: Nirali Patel

¹ *Lifeline and Link Up Reform and Modernization*, Nos. 11-42, 09-197, 10-90, FCC 16-38 ¶ 201 (March 31, 2016).